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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 EDWARD M. KOST,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of
Social Security,

13 Defendant.
14

Case No. C10-1706-RSL-JPD

REPORT AND RECOMMENDATION


15 Plaintiff brought this action to seek judicial review of the denial of his application for
16 disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The
17 parties have stipulated that this case should be reversed and remanded for further administrative
18 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 22.

19 Based on the stipulation of the parties, the Court recommends that this case be
20 REVERSED and REMANDED for further administrative proceedings. On remand, the Appeals
21 Council shall supplement the record with the documents from the file that were mentioned in the
22 Appeals Council's decision but were not identified as exhibits and entered into the record, and
23 send plaintiff's attorney copies of the documents that will be added to the record.
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1 On remand, plaintiff may present new arguments and evidence, if such evidence becomes
2 available. The Appeals Council shall review and consider the supplemental record and any
3 additional arguments brought by plaintiff. Finally, the Appeals Council shall issue a new
4 decision addressing all issues.

5 A proposed order accompanies this Report and Recommendation.

6 DATED this 7th day of July, 2011.

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8 JAMES P. DONOHUE
9 United States Magistrate Judge